

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/9/2022

IN THE UNITED STATES DISTRICT
FOR THE SOUTHERN DISTRICT OF N

AUTH TOKEN LLC,

Plaintiff,

v.

TD BANK, N.A.,

Defendant.

Case No. 1:21-cv-09355-AT

Patent Case

Jury Trial Demanded

JOINT MOTION TO DISMISS

Now come Plaintiff, Auth Token LLC, and Defendant, TD Bank, N.A., by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 41, and hereby move this Court to dismiss all claims against Defendant TD Bank, N.A. WITH PREJUDICE and all counterclaims against Plaintiff Auth Token LLC WITHOUT PREJUDICE, with each party to bear its own attorneys' fees and costs.

Dated: February 8, 2022

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Scott M. Flanz

Scott M. Flanz

7 Times Square, 20th Floor

New York, NY 10036

Telephone: (212) 765-5070

Facsimile: (212) 258-2291

flanz@fr.com

SAND, SEBOLT & WERNOW CO., LPA

/s/ Howard L. Wernow

Howard L. Wernow (*Pro hac vice*)

Aegis Tower – Suite 1100

4940 Munson Street NW

Canton, Ohio 44718

Telephone: (330) 244-1174

Facsimile: (330) 244-1173

Email: howard.wernow@sswip.com

ATTORNEY FOR DEFENDANT

ATTORNEY FOR PLAINTIFF

SO ORDERED.

Dated: February 9, 2022

New York, New York


ANALISA TORRES

United States District Judge